

Plaintiffs' Exhibit 26

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

- - - - -

UNITED STATES OF AMERICA,
et al,

Plaintiffs,

vs.

GOOGLE, LLC,

Defendant.

Case Number:

1:23-cv-00108-
LMB-JFA

- - - - -

Video Deposition of
ROBIN E. LEE, Ph.D.
Friday, March 15, 2024
9:39 a.m.

Veritext Job 6456904

Reported by: Laurie Donovan, RPR, CRR, CLR

<p style="text-align: right;">Page 166</p> <p>1 In item 4, you're talking about pricing 2 floors that are submitted by DoubleClick for 3 Publishers into AdX, correct? 4 MR. NAKAMURA: Objection to form. 5 THE WITNESS: That's not accurate. 6 BY MR. ISAACSON: 7 Q Okay. Why don't you describe it? 8 A So paragraph 12, bullet 3, item (4) 9 refers to the elimination of variable price floors 10 within DFP, which represents different reserve 11 prices a publisher using DFP could use for the 12 different ad exchanges that are used to sell 13 impressions. 14 Q And the price floors you are referring 15 to are submitted into AdX, correct? 16 MR. NAKAMURA: Objection to form. 17 THE WITNESS: So within DFP, AdX 18 receives a floor, but the variable pricing 19 floor restriction refers to whether or not a 20 publisher could use a different price floor 21 with a different exchange. 22</p>	<p style="text-align: right;">Page 168</p> <p>1 THE WITNESS: So exchanges being called 2 within DFP can receive a floor when they're 3 called from DFP. 4 BY MR. ISAACSON: 5 Q The -- all right, and in order to be 6 less exclusionary, Google would have to permit 7 publishers to submit variable price floors that 8 could be submitted to Google's rivals; is that 9 right? 10 MR. NAKAMURA: Objection to form. 11 THE WITNESS: So prior to 2019, 12 publishers could submit or use variable price 13 floors within DFP across exchanges. Post 14 2019, that ability was removed. An example 15 of less exclusionary conduct would be not 16 removing that functionality. 17 BY MR. ISAACSON: 18 Q And that means that Google would have to 19 permit publishers to submit variable price floors 20 to Google's rivals, correct? 21 MR. NAKAMURA: Objection to form. 22 THE WITNESS: So less exclusionary</p>
<p style="text-align: right;">Page 167</p> <p>1 BY MR. ISAACSON: 2 Q All right. The price floors submitted 3 by publishers are submitted into DFP for any ad 4 exchange, correct? 5 A Prior to the removal of the ability to 6 set variable floors, a publisher could specify a 7 different price floor into DFP -- 8 Q I'm not -- I'm just talking about at any 9 time, just a price floor, whether they're variable 10 or uniform. 11 The price floor is submitted by 12 publishers into DFP for any ad exchange, correct? 13 A I guess it's the modifier "for any ad 14 exchange" that I'm, I'm confused by. 15 Q For any ad exchange that DFP is going to 16 submit a price floor -- 17 THE REPORTER: I'm sorry. Say it again. 18 BY MR. ISAACSON: 19 Q Do you know, when DFP gets a price floor 20 from a publisher, who does it submit that price 21 floor to? 22 MR. NAKAMURA: Objection to form.</p>	<p style="text-align: right;">Page 169</p> <p>1 conduct would have been Google continuing to 2 allow publishers to use variable price 3 floors, as is my understanding, they continue 4 to do in certain subsets in, in France, for 5 example. 6 BY MR. ISAACSON: 7 Q And so what you're talking about, 8 though, is when you're saying "using variable 9 price floors," that means Google submits a price, 10 a variable price chosen by a publisher to one of 11 its rivals, correct? 12 MR. NAKAMURA: Objection to form. 13 THE WITNESS: So DFP, as a publisher ad 14 server, is a software product that publishers 15 can use to do many things, but one of which 16 is to facilitate the sale of indirect 17 open-web display transactions. 18 Publishers using DFP can specify, prior 19 to 2019, different floors for different ad 20 exchanges. So then when the publisher used 21 DFP, those floors the publisher could provide 22 would then be provided to the different</p>

<p style="text-align: right;">Page 170</p> <p>1 exchanges.</p> <p>2 BY MR. ISAACSON:</p> <p>3 Q DFP is -- you and I know this, but the</p> <p>4 whole world doesn't know it. "DFP" is DoubleClick</p> <p>5 for Publishers, a Google product, correct?</p> <p>6 THE REPORTER: DoubleClick for what?</p> <p>7 BY MR. ISAACSON:</p> <p>8 Q Publishers. It's a Google product,</p> <p>9 correct?</p> <p>10 A Google owns DFP, yeah.</p> <p>11 Q And so what you're saying is that prior</p> <p>12 to 2019, DoubleClick for Publishers could submit</p> <p>13 different price floors to different ad -- to, to,</p> <p>14 to rival ad exchanges of Google's AdX, correct?</p> <p>15 MR. NAKAMURA: Objection to form.</p> <p>16 THE WITNESS: I think I answered that</p> <p>17 customers using -- publishers using DFP prior</p> <p>18 to 2019 were able to specify variable price</p> <p>19 floors for different exchanges.</p> <p>20 BY MR. ISAACSON:</p> <p>21 Q And if you were to return to that, what</p> <p>22 that would mean is that Google's DFP product would</p>	<p style="text-align: right;">Page 172</p> <p>1 BY MR. ISAACSON:</p> <p>2 Q And in order to eliminate that harm to</p> <p>3 competition from removal of the feature</p> <p>4 functionality, would you have to reinstate that</p> <p>5 feature functionality and, and have Google's DFP</p> <p>6 product submit, be able to submit variable price</p> <p>7 floors to rival exchanges at Google?</p> <p>8 MR. NAKAMURA: Objection to form.</p> <p>9 THE WITNESS: So again, I'm not opining</p> <p>10 on what must be done or what has to be done.</p> <p>11 My opinion is that this action, removing this</p> <p>12 ability to set variable pricing floors within</p> <p>13 DFP, harmed competition.</p> <p>14 MR. ISAACSON: All right. You can mark</p> <p>15 this as Exhibit 6.</p> <p>16 (Exhibit 6 was marked for</p> <p>17 identification.)</p> <p>18 BY MR. ISAACSON:</p> <p>19 Q Exhibit 6 is the Complaint that was</p> <p>20 filed in this action.</p> <p>21 I assume you've had the chance to review</p> <p>22 this before?</p>
<p style="text-align: right;">Page 171</p> <p>1 be submitting variable price floors to rivals,</p> <p>2 rival exchanges of Google?</p> <p>3 MR. NAKAMURA: Objection to form.</p> <p>4 THE WITNESS: So are you, are you</p> <p>5 characterizing what --</p> <p>6 BY MR. ISAACSON:</p> <p>7 Q I'm just trying to understand --</p> <p>8 A -- happened prior to 2019?</p> <p>9 Q No, I'm saying -- I'm just trying to</p> <p>10 understand what, what needs to be implemented</p> <p>11 here.</p> <p>12 So at a high level, in order to be not</p> <p>13 exclusionary, Google's DFP product would have to,</p> <p>14 have to be able to submit variable price floors to</p> <p>15 rival exchanges of Google?</p> <p>16 MR. NAKAMURA: Objection to form.</p> <p>17 THE WITNESS: I'm not expressing an</p> <p>18 opinion on what it would have to do in order</p> <p>19 for some conduct to not be exclusionary. My</p> <p>20 opinion is that this removal of a feature</p> <p>21 functionality that publishers were able to</p> <p>22 use within DFP harmed competition.</p>	<p style="text-align: right;">Page 173</p> <p>1 A I have read that Complaint.</p> <p>2 Q If you could look at page 132, there's a</p> <p>3 list of ten items of conduct that begin at the</p> <p>4 bottom of page 132 and continue onto page 133.</p> <p>5 Do you see that? There's a list of ten.</p> <p>6 They're numbered, too.</p> <p>7 A I see paragraph 312 which lists ten</p> <p>8 actions.</p> <p>9 Q So item 1 there is "Google's acquisition</p> <p>10 of DoubleClick to obtain not only a dominant</p> <p>11 publisher ad server, DFP, but also a nascent ad</p> <p>12 exchange, AdX, in order to pursue its goal of</p> <p>13 dominance across the entire ad tech stack."</p> <p>14 Have you, have you expressed an opinion</p> <p>15 about whether the conduct in item 1 relating to</p> <p>16 Google's acquisition of DoubleClick was</p> <p>17 anticompetitive?</p> <p>18 MR. NAKAMURA: Objection to form.</p> <p>19 THE WITNESS: I'm not expressing an</p> <p>20 opinion that Google's acquisition of</p> <p>21 DoubleClick alone harmed competition.</p> <p>22</p>

<p style="text-align: right;">Page 174</p> <p>1 BY MR. ISAACSON:</p> <p>2 Q Looking at item 7, which refers to</p> <p>3 Project Bell, are you expressing an opinion about</p> <p>4 whether Google's Project Bell was anticompetitive?</p> <p>5 MR. NAKAMURA: Objection to form.</p> <p>6 THE WITNESS: So with respect to Bell, I</p> <p>7 express the opinion that it demonstrates</p> <p>8 Google Ads' substantial market power, but I</p> <p>9 do not express the opinion that Project Bell</p> <p>10 did or did not harm competition.</p> <p>11 BY MR. ISAACSON:</p> <p>12 Q Item 8 refers to "sell-side Dynamic</p> <p>13 Revenue Share."</p> <p>14 Have you expressed an opinion in this</p> <p>15 case as to whether sell-side dynamic revenue share</p> <p>16 harmed accommodation?</p> <p>17 MR. NAKAMURA: Objection to form.</p> <p>18 THE WITNESS: So with respect to</p> <p>19 sell-side dynamic revenue share, I express</p> <p>20 the opinions that it represents an example of</p> <p>21 AdX's market power, that it is a way in which</p> <p>22 AdX was able to take advantage of the</p>	<p style="text-align: right;">Page 176</p> <p>1 demand exclusively to its Google -- exclusively to</p> <p>2 its AdX ad exchange, and denying comparable access</p> <p>3 to rival ad exchanges," you have given the opinion</p> <p>4 in this case about effects on an ad exchange</p> <p>5 market.</p> <p>6 Am I correct you have not given any</p> <p>7 opinions in this case about any effect of this</p> <p>8 conduct on an ad server -- on a publisher ad</p> <p>9 server market?</p> <p>10 MR. NAKAMURA: Objection to form.</p> <p>11 THE WITNESS: That is not correct.</p> <p>12 BY MR. ISAACSON:</p> <p>13 Q The -- have you given opinions that item</p> <p>14 1 had a competitive effect on the advertiser ad</p> <p>15 network market?</p> <p>16 MR. NAKAMURA: Objection to form.</p> <p>17 THE WITNESS: So I opine that Google's</p> <p>18 conduct that harmed the competitiveness of</p> <p>19 rival ad exchanges harmed the competitiveness</p> <p>20 of rivals in the publisher ad server market</p> <p>21 and the advertiser ad network market, because</p> <p>22 products in those latter two markets rely</p>
<p style="text-align: right;">Page 175</p> <p>1 last-look within DFP, but I do not express an</p> <p>2 opinion whether sell-side dynamic revenue</p> <p>3 share alone did or did not harm competition.</p> <p>4 BY MR. ISAACSON:</p> <p>5 Q And with respect to item 9, Project</p> <p>6 Poirot, have you, have you expressed an opinion in</p> <p>7 this case as to whether Project Poirot was</p> <p>8 anti-competitive?</p> <p>9 MR. NAKAMURA: Objection to form.</p> <p>10 THE WITNESS: So I opine that Project</p> <p>11 Poirot demonstrates Google's ability to</p> <p>12 affect competition among ad exchanges through</p> <p>13 behavior of its bidding tools, but I do not</p> <p>14 opine that Project Poirot alone did or did</p> <p>15 not harm competition.</p> <p>16 BY MR. ISAACSON:</p> <p>17 Q The -- we're done with the Complaint.</p> <p>18 If you can look go back to your</p> <p>19 paragraph 12(3) on page 3 of your opening report.</p> <p>20 A Paragraph 12(3).</p> <p>21 Q With regards to item (1), "Providing</p> <p>22 unrestricted access to Google Ads' advertiser</p>	<p style="text-align: right;">Page 177</p> <p>1 upon ad exchanges to transact open-web</p> <p>2 display advertising.</p> <p>3 BY MR. ISAACSON:</p> <p>4 Q The -- can you identify in the work that</p> <p>5 you have done -- I'll start that over.</p> <p>6 Can you identify where in your reports</p> <p>7 you have quantified any anticompetitive effects on</p> <p>8 publishers from the conduct in your item number 1,</p> <p>9 the unrestricted access to Google -- referring to</p> <p>10 "unrestricted access to Google Ads' advertisers"?</p> <p>11 MR. NAKAMURA: Objection to form.</p> <p>12 THE WITNESS: So the harm to</p> <p>13 customers -- in this case, publishers -- from</p> <p>14 the conduct that I examine in my reports</p> <p>15 comes from Google's conduct harming the</p> <p>16 competitiveness of its rivals in the relevant</p> <p>17 product markets, in doing so, that sustain</p> <p>18 and enhance Google's market power over the</p> <p>19 products in the relevant product markets, and</p> <p>20 that, in turn, harms publishers through three</p> <p>21 different channels.</p> <p>22</p>

<p style="text-align: right;">Page 290</p> <p>1 bidding into third-party publishers ad servers, 2 were not brought over or incorporated with 3 Google's products. 4 Q Were there any functions of Admeld that 5 you're aware of that were not brought over into 6 Google's products other than realtime bidding into 7 third-party publisher ad servers? 8 A There may also have been restrictions 9 imposed on customers' ability to use what 10 previously was Admeld with other exchanges or 11 yield managers. I discuss this here in my report, 12 but the main feature that I describe that was not 13 incorporated was this provision of realtime bids 14 into rival publisher ad servers. 15 Q So I just want make sure we're -- I 16 understand what you're talking about is your main 17 point. I'm going to come to that. I just want to 18 make sure there's no other points here. 19 The -- are you saying that, to your 20 knowledge, Google failed to incorporate Admeld 21 yield management functionality in any respect? 22 A Can you repeat your question, please.</p>	<p style="text-align: right;">Page 292</p> <p>1 MR. NAKAMURA: Objection to form. 2 THE WITNESS: So AdX was allowed for 3 realtime auctions. 4 BY MR. ISAACSON: 5 Q The only functionality from Admeld that 6 you would -- that you could identify that was not 7 incorporated into a Google product was the 8 provision of realtime bids in the rival publisher 9 ad servers; is that correct? 10 A So sitting here today, that's the, the 11 primary one I can recall. 12 Q Right, and so would you have an -- do 13 you have an opinion as to whether the acquisition 14 of Admeld was anticompetitive, separate from the 15 fact that Google did not incorporate realtime bids 16 into rival publisher ad servers? 17 MR. NAKAMURA: Objection to form. 18 THE WITNESS: So my opinion regarding 19 the harm to competition arising from the 20 Admeld acquisition includes the actions that 21 Google took subsequent to that acquisition, 22 including the removal of the realtime bidding</p>
<p style="text-align: right;">Page 291</p> <p>1 Q Sure. 2 Are you saying that, to your knowledge, 3 Google failed to incorporate any, any part of 4 Admeld's yield management functionality? 5 MR. NAKAMURA: Objection to form. 6 THE WITNESS: That is not what I am 7 saying. 8 BY MR. ISAACSON: 9 Q Is the only Admeld technology that you 10 are aware of that wasn't incorporated into Google 11 products was, was the provision of realtime bids 12 into rival publisher ad servers? 13 A So one other thing that I describe in my 14 reports is an exchange-like product that Admeld 15 had offered post-acquisition. My understanding, 16 Admeld's product was shut down, but AdX remained. 17 So insofar as there was a separate ad exchange 18 operated by Admeld, that was not something that 19 continued to be in operation -- 20 Q Right, but referring to functionality, 21 exchange functionality was fully incorporated into 22 AdX following the Admeld acquisition?</p>	<p style="text-align: right;">Page 293</p> <p>1 feature. 2 BY MR. ISAACSON: 3 Q Have you identified in your reports any 4 harm to competition from the Admeld acquisition 5 separate from Google not incorporating the 6 provision of realtime bids into rival publisher ad 7 servers? 8 MR. NAKAMURA: Objection to form. 9 THE WITNESS: So one, one of the other 10 sources through which competition was 11 impacted was the elimination of this other ad 12 exchange product that Admeld offered. It 13 also eliminated an option that customers had 14 to receive realtime bids from a different 15 yield manager. 16 So it's that elimination of a competitor 17 that also harmed competition. 18 BY MR. ISAACSON: 19 Q Do you -- you've used, I believe, a 20 four-part test to analyze whether there's 21 exclusionary conduct that affects competition 22 adversely in this case?</p>

<p style="text-align: right;">Page 294</p> <p>1 A So I, I articulate a four-step 2 framework -- 3 Q Right. 4 A -- for evaluating the competitive 5 effects -- 6 Q Applying that four -- 7 A -- of Google's conduct. 8 Q Applying your four-step framework, if 9 the Admeld acquisition went forward and Google had 10 incorporated realtime bidding into third-party 11 exchanges, would you have an opinion whether the 12 acquisition was anticompetitive? 13 MR. NAKAMURA: Objection to form. 14 THE WITNESS: So my evaluation of that, 15 the conduct related to Admeld, evaluates the 16 complete, the total -- the totality of 17 acquisition and behavior surrounding it, 18 including the, the removal of, of that 19 feature. I did not conduct a separate 20 analysis. 21 BY MR. ISAACSON: 22 Q You did not conduct a separate analysis</p>	<p style="text-align: right;">Page 296</p> <p>1 (Exhibit 11 was marked for 2 identification.) 3 BY MR. ISAACSON: 4 Q Exhibit 11 has previously been marked as 5 Abrontes-Metz Exhibit 17. 6 Did you review the Abrontes-Metz 7 deposition? 8 A I did not. 9 Q The -- and you cite this document at 10 note -- Footnote 1069 of your report. It's 11 Bates-stamped GOOG-DOJ-03606441 to 451. 12 And in your report, you say in paragraph 13 731, you say, "For example, a 2012 client 14 migration document following the acquisition noted 15 that Google did not plan to integrate Admeld's API 16 features that, if allowed, would 'pass realtime 17 AdX pricing into a non-DFP ad server,'" and then 18 do you see you cite this document for that? 19 A I see that. 20 Q And in that footnote, you accurately 21 quote that "Admeld can be called via API to serve 22 an ad. There are a small handful of Admeld</p>
<p style="text-align: right;">Page 295</p> <p>1 of the acquisition of Admeld apart from Google's 2 failure to incorporate realtime bids into rival 3 publisher ad servers; is that correct? 4 MR. NAKAMURA: Objection to form. 5 THE WITNESS: So my analysis 6 incorporated the removal of the realtime bids 7 into rival publisher ad servers as part of, 8 of my analysis. 9 BY MR. ISAACSON: 10 Q And so returning to my question, if the 11 Admeld acquisition went forward and Google had 12 incorporated realtime bidding into third-party 13 exchanges, am I correct you would not have an 14 opinion whether the acquisition was 15 anticompetitive? 16 MR. NAKAMURA: Objection to form. 17 THE WITNESS: I did not conduct that 18 analysis, and I'm not expressing an opinion 19 whether it would be or would not harm 20 competition. 21 MR. ISAACSON: If we can mark this as 22 Exhibit 11.</p>	<p style="text-align: right;">Page 297</p> <p>1 sellers that currently have API integrations in 2 place at the ad server level." 3 At the time of the acquisition, there 4 was only a small handful, and I'm not sure what 5 that is, two fingers, only a small handful of ad 6 sellers that were using these API integrations to 7 talk to third-party -- to connect to third-party 8 advertisers, correct? 9 MR. NAKAMURA: Objection to form. 10 THE WITNESS: That is what this 11 document, as quoted here, states. Not the 12 two fingers part but the, the small handful 13 part. 14 BY MR. ISAACSON: 15 Q Right. The -- and then at 442 of the 16 document, 442, the transition document says in 17 section 2.1 in the first bullet, "Almost all the 18 great Admeld functionality is moving into AdX." 19 That was -- was it your understanding 20 that the Admeld functionality following the 21 acquisition was moving into AdX, with the 22 exception of these APIs that were being used by a</p>

75 (Pages 294 - 297)

<p style="text-align: right;">Page 298</p> <p>1 small handful of Admeld sellers?</p> <p>2 A So it's my understanding that the Admeld</p> <p>3 integration did not include these APIs which would</p> <p>4 allow for realtime bids to be provided to</p> <p>5 third-party ad servers.</p> <p>6 Q And did -- was it your understanding</p> <p>7 that that was only being -- that technology that</p> <p>8 was not being integrated was only being used by a</p> <p>9 small handful of sellers?</p> <p>10 MR. NAKAMURA: Objection to form.</p> <p>11 THE WITNESS: So that's consistent with,</p> <p>12 at the time, realtime bidding emerging, which</p> <p>13 is really only a decade. Notably, the other</p> <p>14 two yield managers identified by Google as</p> <p>15 potential merging partners, PubMatic and</p> <p>16 Rubicon started to integrate realtime</p> <p>17 bidding, and so usage was smaller early on</p> <p>18 but grew, and it's telling that PubMatic and</p> <p>19 Rubicon are two of the largest but still very</p> <p>20 distant ad exchange competitors to AdX today.</p> <p>21 This API is used by exchanges to provide</p> <p>22 realtime bids.</p>	<p style="text-align: right;">Page 300</p> <p>1 In the overview, you will see it's</p> <p>2 discussing "an outstanding request from publishers</p> <p>3 has been to support server-side integration, such</p> <p>4 that a publisher's first- or third-party ad server</p> <p>5 would invoke AdX," and then there's a business</p> <p>6 analysis that follows.</p> <p>7 A I don't see a date for this document.</p> <p>8 Q The date of the document is February 5,</p> <p>9 2014. That may come from the metadata.</p> <p>10 A Do you have the metadata for this</p> <p>11 document?</p> <p>12 Q I didn't bring it with me, no. I have</p> <p>13 recorded that it's February, February 5, 2014.</p> <p>14 The -- and you see there's a business</p> <p>15 analysis of the APIs that would connect to</p> <p>16 third-party exchanges?</p> <p>17 A I see the words "Business Analysis" on</p> <p>18 page 003.</p> <p>19 Q And on 003 under "Costs/Risks," the</p> <p>20 first thing it says is, "The development for this</p> <p>21 feature is not easy, and this was proved by</p> <p>22 Admeld. From Brian Adams: 'We did several</p>
<p style="text-align: right;">Page 299</p> <p>1 BY MR. ISAACSON:</p> <p>2 Q And in what years do you think PubMatic,</p> <p>3 Rubicon, and Google launched realtime bidding?</p> <p>4 A So I know at the -- in paragraph 727 of</p> <p>5 my initial report, I note that a 2011 Google slide</p> <p>6 deck noted that PubMatic has less RTV and that</p> <p>7 Rubicon may not at the time, but since then,</p> <p>8 Rubicon is an ad exchange and has incorporated</p> <p>9 realtime bidding.</p> <p>10 Q Right. Do you know which ad exchanges</p> <p>11 launched realtime bidding and when?</p> <p>12 A Sitting here today, I can't give you the</p> <p>13 start dates for every exchange. I don't recall</p> <p>14 right now off the top of my head.</p> <p>15 MR. ISAACSON: All right. This will be</p> <p>16 marked as Exhibit 12.</p> <p>17 (Exhibit 12 was marked for</p> <p>18 identification.)</p> <p>19 BY MR. ISAACSON:</p> <p>20 Q The, the -- Exhibit 12 has also been</p> <p>21 previously marked as Abrontes-Metz Exhibit 19,</p> <p>22 Bates stamp GOOG-DOJ-03610002 through 4.</p>	<p style="text-align: right;">Page 301</p> <p>1 server-side integrations at Admeld (including with</p> <p>2 Criteo), and they were plagued with ongoing</p> <p>3 issues."</p> <p>4 Did you do any investigation of</p> <p>5 technical problems with the functionality that</p> <p>6 Admeld had for connecting to third-party</p> <p>7 exchanges?</p> <p>8 MR. NAKAMURA: Objection to form.</p> <p>9 BY MR. ISAACSON:</p> <p>10 Q Third-party ad servers.</p> <p>11 MR. NAKAMURA: Same objection.</p> <p>12 THE WITNESS: So you're saying this is a</p> <p>13 2014 document?</p> <p>14 BY MR. ISAACSON:</p> <p>15 Q Yes.</p> <p>16 A This is around the time, my</p> <p>17 understanding, that Header Bidding was emerging,</p> <p>18 which allowed exchanges to provide realtime bids</p> <p>19 into publisher ad servers, so I noted that it</p> <p>20 appeared as though this technology was becoming</p> <p>21 adopted by ad exchanges.</p> <p>22 Q So I'll move to strike that. That's not</p>

ACKNOWLEDGEMENT OF WITNESS

I, Robin S. Lee, Ph.D., do hereby
acknowledge that I have read and examined the
foregoing testimony, and the same is a true,
correct and complete transcription of the
testimony given by me, and any corrections
appear on the attached Errata sheet signed by
me.

(DATE)

(SIGNATURE)

Job No. CS6456904

Page 332

E R R A T A S H E E T

IN RE: United States vs. Google, Inc.

RETURN BY:

PAGE	LINE	CORRECTION AND REASON
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(DATE) (SIGNATURE)

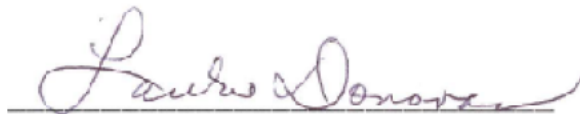
Job No. CS6456904

CERTIFICATE OF SHORTHAND REPORTER -- NOTARY PUBLIC

I, Laurie Donovan, Registered Professional Reporter, Certified Realtime Reporter, and notary public for the District of Columbia, the officer before whom the foregoing deposition was taken, do hereby certify that the foregoing transcript is a true and correct record of the testimony given; that said testimony was taken by me stenographically and thereafter reduced to typewriting under my supervision; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 23rdh day of March 2024.

My commission expires: July 14, 2027

A handwritten signature in cursive script, reading "Laurie Donovan", is written over a horizontal line.

LAURIE DONOVAN
NOTARY PUBLIC IN AND FOR
THE DISTRICT OF COLUMBIA

HIGHLY CONFIDENTIAL

ERRATA SHEET FOR THE TRANSCRIPT OF:

Case Name: *United States et al. v. Google LLC*, No. 1:23-cv-00108 (E.D. Va.)

Deposition Date: 03/15/2024

Deponent: Robin Lee

CORRECTIONS

Page	Line	Change	Reason
23	11	The name “Weintrop” should read “Weintraub”	Transcription error
35	16	The word “developed” should read “defined”	Transcription error
62	5	The word “valid” should read “valuable”	Transcription error
108	1	The words “advertising curtailed” should read “advertising, Criteo”	Transcription error; clarification
129	5	The word “DC360” should read “DV360”	Transcription error
143	16	The words “paragraphs 12 and 3” should read “paragraph 12(3)”	Transcription error
174	16	The word “accommodation” should read “competition”	Transcription error
247	3	The word “Bernicky” should read “Bernanke”	Transcription error
265	9	The word “conditionally” should read “conditional”	Transcription error
266	15	The words “market A tying product” should read “market A (tying product)”	Clarification
298	13	The words “really only a decade” should read “really only this part of the decade”	Transcription error
299	6	The word “RTV” should be “RTB”	Transcription error
311	16	The word “we” should read “who we”	Transcription error

Errata Sheet for the Deposition Transcript of Professor Robin S. Lee

Case Name: *United States et al v. Google LLC*, No. 1:23-cv-00108-LMB-JFA (E.D. Va.)

Depo. Date: March 15, 2024

Deponent: Robin Lee

Page	Line	Correction	Reason for Correction
10	10	Change “White?” to “pretty wide?”	Transcription error
17	6	Change “9:48 pm” to “9:49 am”	Transcription error
23	11	Change “Dr. Weintrop” to “Dr. Weintraub”	Transcription error
33	19	Change “in” to “for”	Transcription error
38	2	Change “I note” to “noted”	Transcription error
38	7	Change “or” to “are”	Transcription error
38	11	Change “for” to “or”	Transcription error
44	13	Change “different” to “for”	Transcription error – glitch in audio
58	20	Add “display advertising” after “open-web”	Transcription error
59	3	Change “customer” to “customers”	Transcription error
59	4	Add “product” before “markets”	Transcription error
65	13	Change “advertise bits” to “advertisements”	Transcription error
69	4 – 5	Change “So for publishers, open-web display advertising is significant evidence” to “So for publishers, open-web display advertising -- there is significant evidence”	Transcription error
69	12	Change “valuating” to “evaluating”	Transcription error
73	20	Add “the” before “term”	Transcription error
74	1	Change “you use” to “I use”	Transcription error
80	6	Change “p.m.” to “a.m.”	Transcription error
80	12	Change “GOOG-DOJ-AT-00855803 to” to “GOOG-DOJ-AT-00855803 through”	Transcription error and spelling for clarity
94	13	Change “(indecipherable) -- elsewhere” to “as I noted earlier elsewhere --”	Transcription error
107	9	Change “ad networks I provided data” to “ad networks that provided data”	Transcription error
108	1	Change “curtailed, as you noted,” to “; Criteo, as you noted;”	Transcription error
109	8	Change “them are of these” to “them -- or of these - _”	Transcription error

112	4	Change “this application” to “its applications”	Transcription error
112	5	Change “those were present” to “it was present”	Transcription error
115	16	Change “the web and ad property” to “a web and an app property”	Transcription error
117	14	Change “display, with regards” to “display. With regards”	Transcription error
126	8 – 9	Change “this app component” to “there was an app component”	Transcription error
127	14	Change “Google display network” to “Google Display Network”	Capitalization for clarity
128	1	Change “DFPs” to “DFP”	Transcription error
129	5	Change “DC360” to “DV360”	Transcription error
129	13	Add double quotation mark after “rivals.”	Transcription error
129	21	Change “methods to monopolization” to “methods of monopolization”	Transcription error
130	2	Change “to rivals” to “of rivals”	Transcription error
132	7	Change “firm” to “firm’s”	Transcription error
143	1	Add “of this figure” after “unaddressable part.”	Transcription error
143	16	Change “In paragraphs 12 and 3” to “In paragraph 12 on page 3”	Transcription error
146	14	Change “advertisers side” to “advertiser side”	Transcription error
162	8	Change “open bidding” to “Open Bidding”	Capitalization for clarity
174	16	Change “accommodation” to “competition”	Transcription error
180	2 – 3	Change “experience in” to “experiments and”	Transcription error
180	21	Change “AdX’s” to “Ads-AdX”	Transcription error
181	20	Change “Ads, AdX’s” to “Ads-AdX”	Transcription error
184	8	Remove extra space before “de minimus”	Formatting for clarity
189	15	Change “anyone can have last-look over” to “any one to have last-look over”	Transcription error
196	8	Change “shares” to “share”	Transcription error
196	21 – 22	Change “computed for –” to “computed for – users” ; delete “By Mr. Isaacson: Q Users?”	Lee added “users,” not Isaacson; Isaacson wasn’t questioning
199	9	Change “Exhibit 7” to “Lee Exhibit 7”	Transcription error
200	9 – 10	Change “whether – the value of whether” to “whether he’s evaluated”	Transcription error
200	11	Change “antitrust” to “antitrust”	Transcription error
201	11	Change “the” to “this”	Transcription error

202	3	Change “it as” to “as a”	Transcription error
203	1	Change “advertiser ad network --” to “advertiser ad network product --”	Transcription error
206	7	Change “average than a disproportionate” to “average, and a disproportionate”	Transcription error
207	3	Change “advertisers, the highest” to “advertisers with the highest”	Transcription error
207	18	Change “zero zero” to “zero-zero”	Punctuation for clarity
208	6	Change “zero zero” to “zero-zero”	Punctuation for clarity
208	16 – 17	Change “Could I inspect that real briefly before I hand it back to you?” to “And, Professor Lee, could I just inspect that briefly before you take a look and I’ll hand it back to you?”	Transcription error
208	18	Change “Okay” to “Here you go”	Transcription error
208	20	Change “I’ve given you Figure 1 [sic] and drawn” to “In Figure -- I’ve given you Figure 1 [sic] and drawn -- and drawn”	Transcription error
209	17	Remove “then” before “an increase”	Transcription error
211	1 – 2	Change “are we referring to Figure 16 instead of Figure 1?” to “I’d like to note that we’re referring to Figure 16 and I think you said Figure 1, so I just want to make that clear.”	Transcription error
212	9	Change “Like none of my reports -- ” to “So, as I said in my reports,”	Transcription error
213	12	Insert “in” before “the main text”	Transcription error
214	16	Change “declines to” to “declines from”	Transcription error
215	17	Change “between 15 and 20, maybe halfway” to “between 15—maybe halfway”	Transcription error
216	9	Change “is the end” to “is either the end”	Transcription error
219	7	Change “It’s” to “If it’s”	Transcription error
220	14	Insert “for” after “difficult”	Transcription error
227	19	Insert “Which paragraph” after “Counsel?”	Transcription error
227	22	Change “Actually, the heading.” to “Actually, the heading—won’t even go to the paragraph.”	Transcription error
229	7	Change “Let me pause there” to “The -- let me pause there”	Transcription error
234	7	Change “analysis” to “analyses”	Transcription error
236	2	Change “AdX’s” to “Ads-AdX”	Transcription error
236	22	Insert “to” before “DFP”	Transcription error

239	2	Change “controlling” to “after controlling”	Transcription error
242	1 – 2	Change “could stop for a break” to “could stop soon, that’d be great.”	Transcription error
242	6	Change “Make it quick” to “I mean, if it’s quick that would be fine.”	Transcription error
242	18	Insert “at” after “transacted”	Transcription error
243	8	Change “had not opined” to “am not opining”	Transcription error
244	1	Insert quotations around “quality-adjusted.”	Punctuation for clarity
247	3	Change “Bernicky” to “Bernanke”	Transcription error
247	3 – 4	Change “CPC, CPM” to “CPC-CPM”	Transcription error
252	8	Change “AW bidding program” to “AWBid program”	Transcription error
255	19	Change “all bid” to “AWBid”	Transcription error
256	10	Change “AdSense in third-party exchanges” to “AdSense, in third-party exchanges,”	Transcription error
261	17	Change “AW bid” to “AWBid”	Transcription error
263	2	Change “they” to “I”	Transcription error
264	11	Change “E10” to “B-10”	Transcription error
264	19 – 20	Change “relevant product market among advertiser ad networks” to “relevant product market. Among advertiser ad networks”	Transcription error
267	2	Change “is” to “has”	Transcription error
288	20	Change “yield” to “yield,”	Transcription error
292	2	Change “AdX was allowed” to “AdX -- was -- allowed”	Transcription error
292	8	Change “in the” to “into”	Transcription error
296	5	Change “Abrontes” to “Abrantes”	Transcription error
296	6	Change “Abrontes” to “Abrantes”	Transcription error
296	11	Change “to” to “through”	Transcription error
298	13	Change “, which is really only a decade” to “-- which was really only at the start of the decade”	Transcription error
299	6	Change “RTV” to “RTB”	Transcription error
299	21	Change “Abrontes” to “Abrantes”	Transcription error
303	1	Change “it is cited? I mean this” to “is it cited? I mean is this”	Transcription error
305	13	Replace “?” with “.”	Transcription error
307	5	Change “I don’t recall.” to “Sitting here today, I don’t recall.”	Transcription error

307	8 – 9	Change “which is discussing unified pricing,” to “which is discussing unified pricing rules,”	Transcription error
307	15	Add a single quotation mark in front of “raises”	Lee Report quotes Jonathan Bellack starting at “raises”
307	16	Change “publics, referring pubs are” to “pubs’, referring to publishers, ‘are”	Transcription error
307	17	Add a single quotation mark after “harder.”	End of Jonathan Bellack quote
309	11	Change “buyer-specifically” to “buyer-specific”	Transcription error
309	22	Change “Abrontes” to “Abrantes”	Transcription error
311	3	Change “a changes” to “changes”	Transcription error
313	12	Add “It’s not isolated.” After answer.	Transcription error – missed in crosstalk
319	7	Change “unfeasible” to “infeasible”	Transcription error
320	2	Change “exchanges” to “changes”	Transcription error
323	22	Change “which you discuss” to “which -- you -- discuss”	Transcription error

I have inspected and read my deposition and have listed all changes and corrections above, along with my reasons therefor.

Date: 4/22/24 Signature: 